

Senate File 492 - Reprinted

SENATE FILE 492
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SF 344)

(As Amended and Passed by the Senate March 28, 2011)

A BILL FOR

1 An Act relating to the duties of a guardian or conservator.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 633.635, subsection 2, paragraph a, Code
2 2011, is amended to read as follows:

3 a. (1) Changing, at the guardian's request, the ward's
4 permanent residence if the proposed new residence is more
5 restrictive of the ward's liberties than the current residence.

6 (2) If a ward is removed from the ward's residence, the
7 guardian shall provide, prior to the removal, notice of the
8 removal to the ward's family by registered mail and such notice
9 shall include a period of time for the ward's family to remove
10 personal items from the ward's home.

11 Sec. 2. Section 633.641, Code 2011, is amended to read as
12 follows:

13 **633.641 Duties of conservator — ward receiving medical**
14 **assistance.**

15 1. a. It is the duty of the conservator of the estate to
16 protect and preserve it, to invest it prudently, to account
17 for it as herein provided, and to perform all other duties
18 required of the conservator by law, and at the termination of
19 the conservatorship, to deliver the assets of the ward to the
20 person entitled thereto.

21 b. If a ward is removed from the ward's residence, the
22 conservator shall provide, prior to the removal, notice of the
23 removal to the ward's family by registered mail and such notice
24 shall include a period of time for the ward's family to remove
25 personal items from the ward's home.

26 2. The conservator shall report to the department of human
27 services the assets and income of any ward receiving medical
28 assistance under chapter 249A. Reports shall be made upon
29 establishment of a conservatorship for an individual applying
30 for or receiving medical assistance, upon application for
31 benefits on behalf of the ward, upon annual or semiannual
32 review of continued medical assistance eligibility, when
33 any significant change in principal or income occurs in
34 the conservatorship account, or as otherwise requested by
35 the department of human services. Written reports shall be

1 provided to the department of human services county office for
2 the county in which the ward resides or the county office in
3 which the ward's medical assistance is administered.